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July 24, 2002

To: Examiner Waks  
U.S.PTO  
703-746-4176

From: Phillip Mancini

Your Ref.: 09/694,021

Our Ref.: 106967

Number of Pages Sent (Including cover sheet): 2

Prepared By: PDM

**Comments:**

Examiner Waks,  
I would like to schedule the telephone interview for **Tuesday, July 30 at 10:00 a.m.** Unless otherwise notified by you, I will call you at 10:00 a.m. on next Tuesday. Please contact me if you have any questions or comments regarding this matter.

Regards,  
Phillip Mancini

Sent by: \_\_\_\_\_

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Application No. 09/694,021  
Attorney Docket No. 106967

**DRAFT** Proposed agenda for telephone interview on Tuesday, July 30:

**DRAFT**

1. Discuss basis for rejection of claims 1-6 and 20 under § 112. The rejection was made in the Office Action, but no basis for it was provided. Applicants have proposed to amend the claims to correct a minor typographical error and to improve the English language syntax, but are not certain that this will overcome the Examiner's basis for making the rejection.

2. Discuss art applied under § 102(b). Specifically, the '879 patent, otherwise known as Ibaraki, does not suggest or disclose a control apparatus for a hybrid vehicle comprising at least a controller that detects a drive power requested for the vehicle drive wheel and that adjusts the drive power by setting an engine output increase, a motor output increase, and a gear speed change by increasing a gear ratio, in an order of descending priorities of (1) the engine output increase, (2) the motor output increase, and (3) the gear speed change by increasing the gear ratio, so as to achieve the drive power requested. The Office Action alleges that this is disclosed in the Abstract of Ibaraki at lines 14-16, but there appears to be no such disclosure.

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